Remarks

Claim 1 is amended as to incorporate dependent Claims 3, 4, and 7, which are now cancelled.

Claims 5, 6, and 8-10 are amended to depend on Claim 1 (as Claim 3 is now incorporated into Claim 1).

Claim 11 is amended to incorporate dependent Claims 13, 14, and 17, which are now cancelled.

Claims 15 and 16 are amended to depend on Claim 11 (as Claim 13 is now incorporated into Claim 11).

No new matter was added in view of these amendments.

ARGUMENTS

I. 35 U.S.C. §102 Rejection of Claims 1-2 and 9-12

The Examiner rejected Claims 1-2 and 9-12 as being unpatentable under 35 U.S.C. 102(b) in view of Inoue et al. (U.S. Patent # 5,729,280, hereafter referred to as 'Inoue').

Applicant notes that this rejection is now moot because the addition of Claims 7 and 17 into Claims 1 and 11 respectively, overcome such a rejection. That is, Claims 7 and 17 were rejected under 35 U.S.C. 103.

Applicant therefore requests the Examiner remove the 102 rejection to these claims.

II. 35 U.S.C. §103 Rejection of Claims 1 and 11 (which incorporate Claims 7 and 17 respectively)

The Examiner rejected Claims 7 and 17 (which are now incorporated into Claims 1 and 11 respectively), under 35 U.S.C. 103(a) as being unpatentable over Inoue in view of Yoshizawa et al. (U.S. Patent # 6,002,694, hereafter referred to as 'Yoshizawa'). Applicants disagree with this grounds of rejection.

The Examiner in the rejection acknowledges that Inoue does not disclose or suggest the claim element of "preventing playback of said recording of said selected one of said plurality of multimedia presentations upon completion of said presentation". The Examiner therefore cites the Yoshizawa reference in combination with Inoue to state that this cited combination would disclose all of the features of Claim 1. Applicants disagree with this conclusion.

Claim 1 is specific that "upon completion of said presentation" playback will be prevented. The teaching that the Examiner cites to in Yoshizawa (Col. 5, lines 46-53) (as combined with Inoue) discloses a billing system whether a party should be recharged for a program if it is viewed "within a specific time". Upon on plain reading of the reference, in combination with Inoue, the "specific time" referenced is not the "upon completion of said presentation" as the Examiner assumes. The 'specific time" referenced would actually be a time interval where a movie or other programming can be watched within this time interval.

The Examiner's reading of this "within a specific time" is not correct because col. 5, lines 48-52 of Yoshizawa discloses having the possibility of re-watching a program within a specific time. That is, the reference discloses that there will be an interval of time where a user can re-watch a program. In contrast, Claim 1 claims that a program will not be able to be viewed "upon completion of said presentation". Hence, Claim 1 will prevent a program from being re-watched. This is not the disclosure or teachings of Inoue and Yoshizawa, alone or in combination.

For the reasons disclosed for Claim 1, and applicable for Claim 11, Applicant asserts that such claims are patentable over the cited art of record.

Applican also requests that the Examiner remove the rejection to the dependent claims that depend on Claims 1 and 11, respectively.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application is in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicant's attorney at (609) 734-6809, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,

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